

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 92-123-W/S - ORDER NO. 92-537 /C  
JULY 10, 1992

IN RE:	Application of Carolina Water Service,	)	
	Inc. requesting an expansion of its	)	ORDER GRANTING
	existing service area to include certain	)	WAIVER AND
	portions of York County, South Carolina,	)	EXTENSION OF
	at its currently approved schedule of	)	SERVICE AREA
	rates and charges.	)	

By application filed February 26, 1992, Carolina Water Service, Inc. (CWS) seeks approval of the Public Service Commission of South Carolina (the Commission) to expand its water and sewer service area to include water and sewer service for certain additional portions of York County, South Carolina, at the existing rates and charges approved for Carolina Water Service, Inc. The application was filed pursuant to S.C. CODE ANN. §58-5-240 (1976), and R.103-821 of the Commission's Rules of Practice and Procedure.

By letter dated March 9, 1992, the Executive Director instructed Carolina Water Service to publish once at its own expense on or before March 27, 1992, a Notice of Filing in newspapers of general circulation in the affected area and provide the Executive Director proof of publication on or before April 10, 1992. The Executive Director also required Carolina Water Service to furnish at its own expense on or before March 27, 1992, by bill insert or otherwise, a Notice of Filing to each customer and

provide a certification that the notification had been furnished on or before April 10, 1992. Carolina Water Service furnished the necessary proof of publication and notification for both Notices. No protests or Petitions to Intervene were received.

Carolina Water Service moved for waiver of a hearing in this matter since no protests or Petitions to Intervene were filed. The Commission grants this motion and also grants the request for expansion of CWS's service area to include certain portions of York County, South Carolina, at the currently approved rates and charges, with such exceptions as described below.

The Applicant is a public utility currently operating water and wastewater collection and treatment systems under the jurisdiction of this Commission in York County and throughout South Carolina. Its corporate charter is presently on file with the Commission and an appropriate bond has been posted. A schedule of rates and charges has been approved by the Commission in Docket No. 89-610-W/S, Order No. 90-694, for service areas in South Carolina. The Applicant currently provides water and sewerage service to the River Hills Plantation Subdivision and contiguous Lake Wylie area in York County, South Carolina. The service area for which expansion is sought is contiguous to the Applicant's existing service area and may be described as follows:

All area requested located in York County, South Carolina, located west of the Northerly part of Lake Wylie, including the presently Carolina Water Service Certificated area known as River Hills.

Beginning at a point at the Northern most shoreline of Beaver Dam Creek inlet at Lake Wylie, then all area North of a line drawn between Beaver Dam Creek inlet to

the intersection of South Carolina/York County Highways 49, 274, and 55 (known as Five Points). Then all area west of Highway 49 running Southwest of Five Points to the intersection of Highway 49 and Cook Road. Then all east of the Northerly running Cook Road and Mountainview Road, to the intersection of Mountainview Road and Route 55. Then all area east of Highway 152 to the intersection of Highway 152 and Highway 557. Then all area South of Highway 557 running easterly to the intersection of Highway 435. Thence all area east of Highway 435 Northerly to the intersection of Highway 435 and Highway 918. Then all east of Highway 918 Northward, to the North Carolina state line. The Eastern boundary of the service territory requested shall be Lake Wylie from the North Carolina state line meandering Southerly along the Lake Wylie shoreline to Beaver Dam Creek Inlet on Lake Wylie, the point of beginning.

Staff has requested that we grant four exemptions from this territorial expansion order. These are as follows: the Lake Wylie Community Utilities System, Chuck's Mobile Home Park, Hollandale Subdivision, and Waterlyn Downs, including any property adjoining Waterlyn Downs owned by WBW Investments and/or John A. Wren. During the course of these proceedings, these exemptions were requested by the various systems and the Commission finds good cause to exempt these areas from the territorial expansion as described above.

York County will be constructing facilities to provide both water and sewerage service to portions of the general York County area. Upon completion of the regional facility and conditioned upon approval of this application, the Applicant will eliminate discharge from its existing River Hills Plantation Wastewater Treatment Facility and provide both water and sewerage service to the River Hills and Lake Wylie customers by interconnecting with a

regional facility and purchasing both water and sewerage services in bulk from York County.

Applicant has entered into an agreement with York County, also conditioned upon approval of this application to provide services to future customers in the expanded service area in the same fashion that it will be providing those services to its River Hills and Lake Wylie customers. Other than those stated above, the Applicant is informed that the service area is not presently served by any public utility subject to the jurisdiction of this Commission. The Applicant has requested that the subject expansion of its service area be granted in conjunction with a specific finding by this Commission that both water and sewerage service will be provided in accordance with the various terms and conditions, provisions, rates and fees as approved by and as on file with the Commission from time to time. Applicant also believes that the public convenience and necessity will be served by the approval of the Application.

The Commission has considered this matter and believes that Carolina Water Service shows good cause for its proposed territorial expansion as described above, and that the public convenience and necessity will be served by the approval. The Commission also believes that under S.C. CODE ANN. §58-5-240(G), we may allow this expansion without a hearing since the rates proposed do not require a determination of the entire rate structure and overall rate of return. We approve for use in the extended area the rates, charges, and operating margin approved in Docket No.

89-610-W/S, Order No. 90-694.

As noted in the July 2, 1992 letter of John F. Beach, Esquire, Staff has made several additional recommendations that the Commission believes should be adopted. First, Staff requests that Carolina Water Service, Inc. separately itemize the accounting charge and CWS's collection charge on the customer's bill. Second, Staff requests that CWS negotiate recapture agreements with developers who have incurred the cost of installing off-site interconnection facilities. Third, Staff requests that for those potential customers for whom interconnection to CWS facilities is simply not feasible, the subdivision or entity will be allowed to obtain an alternate source of service subject to approval of that alternate source of service by DHEC, York County and any other applicable regulatory authority. CWS has agreed to all these recommendations and conditions. The Commission believes that these are reasonable and hereby adopts same. Also, the Commission has examined the contract submitted with the Application between Carolina Water Service and York County, dated January 28, 1992, and finds that said contract fair and reasonable.

Because of the above-stated reasoning, IT IS THEREFORE ORDERED THAT:

1. The request for waiver of hearing in this matter is granted.

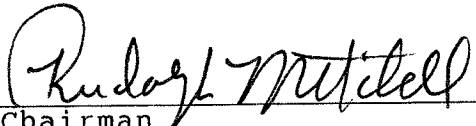
2. The Application of Carolina Water Service, Inc. requesting an expansion of its existing service area to include certain portions of York County, South Carolina, described above, with the exceptions listed above, at its currently approved schedule of rates and charges is hereby granted.

3. That the contract between Carolina Water Service, Inc. and York County of January 28, 1992 is hereby found to be fair and reasonable.

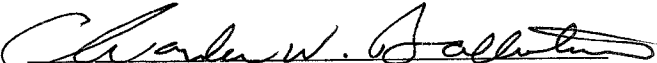
4. That all conditions as described above and requested by the Staff are granted.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
VICE Chairman

ATTEST:

  
Executive Director

(SEAL)